

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

IN RE: MICHAEL STEWART FITZ, AND
CAROL JEAN FITZ,

Debtors,

CASE NO.: 04-10253
CHAPTER 13

AGREED ORDER FOR RELIEF FROM
AUTOMATIC STAY

The above-entitled matter having been presented for trial before this Court, the Honorable Irvin N. Hoyt, Bankruptcy Judge, presiding, based on the Motion for Relief from the Automatic Stay filed on the 8th day of June, 2006, and the service of notice of said motion having been made by mail upon all interested parties on the 8th day of June, 2006; and upon filing of Debtors' Response to South Dakota Housing Development Authority's Motion for Relief from Automatic Stay on the 21st day of June, 2006; and Robert E. Hayes for the South Dakota Housing Development Authority, and Curt R. Ewinger for the Debtors having agreed to entry of this Order; and the Court being fully advised in the premises and finding good cause appearing therefor; it is hereby

ORDERED that the Debtors shall cure the arrearages due South Dakota Housing Development Authority no later than July 31, 2006, and upon such failure to cure being shown by proper affidavit on behalf of SDHDA, the automatic stay imposed by 11 U.S.C., Section 362 (d)(1) and (d)(2), as it pertains to South Dakota Housing Development Authority (SDHDA), be, and the same hereby is, modified to permit SDHDA to exercise its non-bankruptcy law remedies regarding its mortgage on real property described in the Motion to Modify Stay, without further hearing or notice.

So ordered: June 22, 2006.

BY THE COURT:



Irvin N. Hoyt
Bankruptcy Judge

On the above date, a copy of this document was mailed or faxed to the parties shown on the Notice of Electronic Filing as not having received electronic notice and Debtor(s), if Debtor(s) did not receive electronic notice.

Charles L. Nail, Jr.
Clerk, U.S. Bankruptcy Court
District of South Dakota

NOTICE OF ENTRY
Under Fed.R.Bankr.P. 9022(a)

This order/judgment was entered
on the date shown above.

Charles L. Nail, Jr.
Clerk, U.S. Bankruptcy Court
District of South Dakota